

MONTANA LEGISLATIVE HISTORY

Chapter 323 19 ~~94~~ 95

Bill H 354 S _____ Original bill & history ____ C

H. Committee on Judiciary

Hearing Date(s) Feb 11 ☒ C

_____ C

_____ C

_____ C

Date Out _____ C

S. Committee on Judiciary

Hearing Date(s) Mar 08 ☒ C

BEST COPY Mar 15 _____ C

AVAILABLE _____ C

_____ C

Did this bill originate in an interim committee? ____ Yes ____ No

Committee _____

Report _____

House BILL NO. *354* *Fullerton* *Magone*

INTRODUCED BY *Harper* *Bohannon* *Leuter* *Johnson* *Willems* *Kammis*

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 93-1906, R.C.M. 1947, TO PROVIDE A MINIMUM SALARY FOR REPORTERS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 93-1906, R.C.M. 1947, is amended to read as follows:

"93-1906. Salary and expenses of reporter-- apportionment. Every reporter appointed under the provisions of this chapter ~~receives~~ is entitled to receive an annual salary of not less than twelve thousand five hundred dollars (\$12,500) and no other compensation except as provided in section 93-1904, provided, however, that all transcripts and bills of exceptions required by the county shall be furnished without cost, payable in monthly installments out of the general funds of the counties comprising the district for which he is appointed, according and in proportion to the number of civil and criminal actions entered and commenced in the district courts of such counties respectively in the preceding year; and it shall be the duty of the judge of such district, on the first day of January of each year, or as soon thereafter as may be, to

apportion the amount of such salary to be paid by each county in his district on the basis aforesaid. The reporter is allowed, in addition to the salary and fees above provided, in judicial districts comprising more than one (1) county, his actual and necessary expenses of transportation and living when he goes on official business to a county of his judicial district other than the county in which he resides, from the time he leaves his place of residence until he returns thereto, said expenses to be apportioned and payable in the same way as the salary."

-End-

Representative Lester questioned if it would be unconstitutional to single out one industry to which Mr. Reberg stated it is discriminatory. Following a brief discussion the hearing was closed.

HOUSE BILL NO. 354. Representative Ann Mary Dussault, District #95, chief sponsor, provided each committee member with an amendment to the bill to correct an error which was an oversight on her part. She stated this bill would allow judges to increase salaries of court reporters, that it won't necessarily raise their salaries. She explained that court reporters are trained to record word for word, upwards of 225 words per minute. At the present time court reporters all receive the same salary, regardless of experience. She stated that in Pueblo, Colorado, a court reporter can start at \$13,896, in Youngstown, Ohio, they start at \$13,500, in San Rafael, California, they start at \$14,340.

Proponent Jack Fletcher, a court reporter from Great Falls, read testimony prepared by Philip R. Fordahl, who had planned on testifying, but was unable to at the last minute (see exhibit). Proponent Carroll B. Copeland, a court reporter from Missoula provided the committee with prepared testimony, and stated they hoped to upgrade court reporters in the State of Montana. Proponent Bob Meerkatz, a court reporter from Kalispell, stated that one of the problems for them in Montana is that a court reporter with no experience is making the same as one who has worked for years. With this bill he feels that a judge could see that they do their job better.

Proponent Representative James Moore stated that the court reporter is the person you never see who keeps the court system going. They work long hours, set calendar dates, keep the cases moving. No one is in a better position to know how hard a court reporter works than the judge.

There were no further proponents or opponents. Upon questioning, Representative Scully learned that Montana has no standard at all. The judge has the say so and this is what controls upgrading of court reporters. Representative Scully questioned whether this was their only source of income to which Mr. Copeland replied that they also do transcripts and depositions and this is affected by their district, and how much of this work there is.

Representative Halvorson stated that she tries court reporting and it is hard work she feels they shouldn't have to moonlight to get a decent living. Upon questioning, Representative Rasmussen was told they have at least a two-year training school and must pass a CSR examination. Representative Yardley feels that allowing the district judge to set fees gives them too much power. Representative Meloy stated he was intrigued that this might save some bills in the future, and suggested striking out the reference to \$12,500, and then they never would have this bill again.

Representative Meloy, in answer to comment by Representative Day about including county commissioners to help set salaries, stated that the district judge has to keep on pretty good terms with the county commissioners and as a practical matter most judges confer on salaries with the county commissioners.

The hearing was then closed on House Bill No. 354.

HOUSE BILL NO. 396 Representative Mike Meloy, District #29, chief sponsor of this measure to implement the new Constitution by providing guidelines for citizens participation in the operations of government agencies, stated this bill is the same bill that passed the House and died in the Senate along with two other bills designed to implement the Constitution. The two other bills dealt with the right to know in relation to public bodies and documents. This one caused the least opposition; the other bills have not been reintroduced. This bill intends to involve citizens in the decision-making process, and is designed to pick up where the Administrative Procedures Act leaves off. It requires an agency to give guidelines, policy and procedure to grant citizen participation.

There were no other proponents. Opponent, L. P. McDonald, representing the Anaconda Company, stated that they have a different concept of the constitutional provision. They have no argument against public participation if it is reasonable. He feels if state government has to have public hearings all the time, it will really put shackles on it. He questioned whether the Highway Department would have to give public notice to send out snow removal equipment. No other opponents testified.

Representative Meloy, in closing, stated that the language of the Constitutional Convention very clearly intends that the Legislature provide for implementation of this provision. He apologized that this bill is not more specific than it is but being more specific would entail a very lengthy bill. The language permits the agencies to make decisions and provide citizen participation. He feels that if participation of the people results in great shackles to the government, then, so be it. He invited the committee to consider the fact that Anaconda would come in and oppose a bill designed to encourage public participation.

Following a brief discussion, the hearing was closed.

EXECUTIVE SESSION

HOUSE BILL NO. 354 A motion by Representative Moore of DO PASS AS AMENDED was withdrawn and he then moved to adopt the amendment as proposed which was, following "\$12,500" insert "said salary to be set by the judge in the district in which the reporter works". A substitute motion by Representative Day to add to the above amendment the phrase "with the approval of the county commissioners" failed on a roll call vote of eight to six with Representatives Anderson, Baeth, Day, Hager, Halvorson and Rasmussen voting yes, Representatives Scully and Seifert absent. Staff attorney Diana Dowling explained that the reasoning in judges setting the salary would be that whatever the judge sets the salary at has to go in the budget.

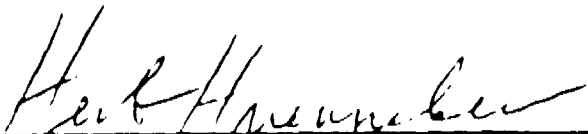
Representative Meloy stated that we are in fact, by adopting this bill, giving some discretion back to the county above the figure stated in the bill. The existing statute dictates salary shall be set at \$12,500. If you vote against the bill you are opposing the Legislature's statute. The court reporter may not have to have any special formal educational background but in order to be proficient it takes a great deal of training. Skills are as compensable as formal education.

Representative Yardley stated he would like to find out if the judges want this responsibility of setting salaries.

A motion by Representative Hager to amend by striking numerical figure and phrase in line 14 of "not less than \$12,500" and also strike "minimum" in the title was discussed. Time ran out and a quorum of the committee had to leave.

Time having run out, the meeting was adjourned at 10:40 AM.

HH:pb


HERB HUENNEKENS, CHAIRMAN

HOUSE BILL 354 - COURT REPORTERS
February 11, 1975 - 9 o'clock a.m.
Room 436, Capitol Building, Helena, Montana

I would like to briefly discuss this morning House Bill 354 which would change Section 93-1906 RCM 1947 to permit the District Judge to set the salary of the Montana Official Court Reporters.

The salaries of the Montana Official Court Reporters are paid by the county or counties comprising the judicial district within which the reporter works. It is not an automatic thing but is presently set by the legislature. The only means the court reporters have of obtaining a salary increase is to approach the legislature.

House Bill 354 would alter this method to resemble the method used in most other states. It would set a minimum salary and permit the judge for whom the reporter works to determine and set the reporter's salary commensurate with the reporter's training, experience and length of time in service, using as a guideline the salaries of reporters in surrounding states.

Official Court Reporters' duties include reporting all cases where a record is required and performing secretarial duties for the judge plus many other less significant duties.

One of our main problems over the years has been a lack of any minimum standards that new court reporters must meet in order to report in our state courts. Because of our unsuccessful attempts in years past to establish a Montana Certified Shorthand Reporter

and permit the judge for whom the reporter works to determine and set the reporter's salary commensurate with the reporter's training, experience and length of time in service, using as a guideline the salaries of reporters in surrounding states.

Official Court Reporters' duties include reporting all cases where a record is required and performing secretarial duties for the judge plus many other less significant duties.

One of our main problems over the years has been a lack of any minimum standards that new court reporters must meet in order to report in our state courts. Because of our unsuccessful attempts in years past to establish a Montana Certified Shorthand Reporter law (CSR), we feel this bill, if passed, will enable us to accomplish the same end results by establishing a self-certification program within the State of Montana, using as our tests the National Certificate of Proficiency and Merit tests which have proven so successful in other states and now is set as a requirement before a new reporter can be appointed to the U. S. Federal Court as an Official Court Reporter.

Testimony submitted by:



Carroll B. Copeland

President, Montana Shorthand Reporters Ass
Fourth Judicial District, Missoula

Amend House Bill No. 354,
introduced bill, as follows;

1. Amend page 1, section 1, line 15.

Following: "(\$12,500)"

Insert: "said salary to be set by the
judge in the district in which
the reporter works," *c agreement of ch, 107*

HSP/ds

H.B. No. 354

11 February, 1975
9:00 o'clock a.m.
Room #436 Capitol Bldg
Helena, Montana

I am appearing this morning in support of HB 354, which is designed to amend Section 93-1906 R.C.M. 1947 as amended to place the setting of salaries of the Court Reporters in the District Judges of Montana rather than in the legislature. I will not go into all of the reasons for this amendment, but I will endeavor to explain some of the reasoning behind it.

As you are well aware, the legislature has in the past set our salaries, which has required the reporters to submit bills each session to attempt to keep up with the cost of living increases and, more importantly, to bring our salaries up to salaries paid in other states so that we could get and keep competent reporters in Montana. We were asked by several legislators, both in the Senate and in the House, to submit a bill placing the setting of salaries with the District Judges so that we don't have to burden the already too encumbered Houses with legislation which they didn't feel belonged there. This we feel is a fair request. I have read in the media of bills being submitted this session to limit the number of bills any one member could sponsor -- this then would eliminate one bill each session which would help to alleviate this problem.

Another point I would like to mention is that we are paid by the counties which comprise the Judicial District for which the reporter

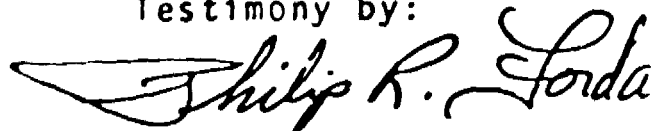
could sponsor -- this then would eliminate one bill each session which would help to alleviate this problem.

Another point I would like to mention is that we are paid by the counties which comprise the Judicial District for which the reporter is appointed. The funds DO NOT come from the state, so that any future increase in salary the judges may grant does not have to be budgeted for by the legislature.

I think that one of the most important reasons for this change is that the reporters could then meet with the District Judges of Montana and establish a self-certification program whereby the reporter will receive a salary commensurate with their ability and seniority. This would take the place of once again appearing before the legislature and proposing a Certified Shorthand Reporter law; this being a Board established by the legislature and before which the Court Reporter must appear and pass a battery of examinations before he is allowed to report in the State of Montana. Self-certification can be done very simply by setting up examinations at which the NSRA Certificate of Merit and Certificate of Proficiency tests are given. The CM and CP tests are already in existence and have been proven over the years. Several other states are doing this now. California has had a CSR for many years, and it has now been recommended that the NSRA examination be given in its place to reduce the cost of the CSR Board and test program. Self-certification will ensure the quality of reporters in our court system and, thereby, protect the rights of the parties involved in litigation.

Thank you.

Testimony by:

A handwritten signature in cursive script that reads "Philip R. Fordahl". The signature is written in dark ink and is positioned above the printed name and title.

Philip R. Fordahl
Official Court Reporter
Eighth Judicial District

at 6:00 PM. Representative Huennekens, Chairman, presided. All members were present.

This meeting was called for purpose of Executive session.

HOUSE BILL NO. 287 Representative Moore reminded the committee that it was requested by the insurance company that the jury should determine the proportion of damage. Representative Moore moved to amend following line 17 by adding new paragraph: "In cases heard by a jury, the jury shall determine the proportion of negligence, if any, and ask for damage. The judge, explaining the findings of the jury shall redress total damages in property to amount of damage attributable to the person recovering."

Representative Hager questioned this, he thought the insurance company asked to have this the other way around, that the jury will determine the total damage and percent and the judge applies the percentage. Representative Seifert agreed with this. Representative Moore stated that the other states that have this don't have that in there. Findings of negligence is exclusive to the jury. They are findings of fact.

Representative Huennekens questioned if it wasn't rather usual in damage cases that the jury fix the award which Representative Moore replied it was. Representative Moore explained this process in length, stated that following the hearing he had talked this requested amendment over with the insurance company representative who had testified.

A substitute motion by Representative Kimble of DO PASS carried with Representative Meloy abstaining.

HOUSE BILL NO. 354 Representative Kimble moved to amend on page 1, line 15, following \$12,500, by inserting "said salary to be set by the judge in the district in which the reporter works," as proposed in testimony. Representative Moore explained that he had talked with Judge Nat Allen who stated that order to have this also approved by the county commissioners his court reporter would have to be approved by seven different sets county commissioners.

Motion to amend carried. A motion was made by Representative Kimble of DO PASS as amended. A substitute motion by Representative Hager to amend by striking the figure \$12,500 which he explained as he felt it was time to give salary setting jobs back to the local officials.

Representative Moore stated that basically he agreed with Representative Hager's reason for the amendment but would have to oppose it because the language was in there to begin with. Representative Meloy stated he sympathized with Representative Hager but that the chief sponsor was concerned about taking this figure out. Representative Day pointed out that we are saying that we have all the confidence in the judges but then set a floor for payment. Following additional discussion as to the hours worked by court reporters and additional income from transcripts the question was called.

Representative Hager's motion to amend failed with a vote of seven to six with Representatives Huennekens, Moore, Kimble, Lester, Meloy, Yardley and Vincent voting no.

Representative Moore moved DO PASS AS AMENDED. Motion carried with Representatives Baeth and Yardley voting no.

HOUSE BILL NO. 103 Proposed amendments to this bill were typed and provided to each committee member. Representative Huennekens stated that Representative Jacobsen's original bill made imposition of the herd law mandatory across the state with governing officials having to take this out. These amendments completely reverse the process, now place parts of county under the law. It still gives the county commissioners a lot of power.

Representative Day stated he doesn't think most farmers and ranchers would deny we need this in some places. There are areas now that are very hard to fence for ten to twenty miles.

A motion was made by Representative Baeth of DO PASS AS AMENDED. Representative Day stated that the eighth amendment makes this bill acceptable to most farmers and ranchers, it pretty well exempts what they were objecting to. Representative Meloy stated he wanted to vote on the amendments separately. Representative Baeth withdrew his motion.

Representative Seifert moved to accept the proposed amendments. Motion carried with Representatives Meloy,

STANDING COMMITTEE REPORT

.....February 11,..... 19 75....

MR.**SPEAKER:**.....

We, your committee on.....**JUDICIARY**.....

having had under consideration**HOUSE**..... Bill No.**354**

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 93-1906, R.C.M. 1947, TO PROVIDE A MINIMUM SALARY FOR REPORTERS."

Respectfully report as follows: That.....**HOUSE**..... Bill No.**354**

Be amended in the introduced bill as follows:

1. Amend page 1, section 1, line 15.
Following: "(\$12,500)"
Insert: "said salary to be set by the judge in the district in which the reporter works,"

HB 354 -- The first bill to be heard was HB 354. Representative Ann Mary Dussault of District 95, sponsor of the bill, stated that the purpose of the bill was to provide a minimum salary for court reporters. She stated that it is better to establish a minimum salary and leave the actual salary flexible rather than locking it into the statutes.

PROPOSERS

Mr. Phil Fordahl, Court Reporter for the 8th Judicial District spoke in support of the bill and presented written testimony (attached).

Mr. Carroll Lopeland, Court Reporter for the 4th Judicial District and President of the Montana Shorthand Reporters Association, presented written testimony (attached) in support of the bill and read a letter in support of the bill from three court reporters in Yellowstone County (attached).

There were no further proponents and no opponents to the bill.

HB 393 -- HB 393, sponsored by Representative James Moore of District 18, was heard next. He stated that the purpose of the bill was to clarify certain probate statutes and bring them into conformity with the Uniform Probate Code. He stated that he was introducing the bill at the request of Mr. Bjarne Johnson of Great Falls.

PROPOSERS

Ms. Ada Harlen, appearing on behalf of Mr. Bjarne Johnson, Chairman of the Uniform Probate Code Committee of the Montana Bar Association, reviewed the major provisions of the bill. She stated that the bill was unanimously supported by the Uniform Probate Committee of the Montana Bar Association.

Mr. Tom Stoll, Chief of the Inheritance Tax Bureau of the Dept. of Revenue, spoke in favor of the bill as it applied to his office in sections 4, 6 and 7.

**SALARIES OF
COURT REPORTERS**

**(In Courts of Similar Jurisdiction)
IN SURROUNDING STATES:**

Arizona	16,500
California	20,628
Colorado	16,900
Idaho	14,000
Montana	12,500
Nebraska	14,000
Nevada	16,000
North Dakota	12,500
Oregon	17,000
South Dakota	12,000
Utah	16,044
Washington	17,750
Wyoming	13,000-17,000
Federal Reporters- Montana	19,625.00

Thank You!

**THE MONTANA COURT
REPORTERS APPRECIATE
YOUR SUPPORT**

Thank You

**THE MONTANA COURT
REPORTERS APPRECIATE
YOUR SUPPORT**

In January, 1973, the State Legislature increased the salary of the Montana Court Reporter and brought it close to the average of surrounding states. This we appreciate very much.

What is common knowledge is that inflation and the cost of living increase has hurt us all. For this reason we are asking for a salary adjustment.

**PLEASE CONSIDER THE
FOLLOWING IN MAKING
A DETERMINATION:**

**WHAT IS A SHORTHAND
REPORTER?**

A person employed in the District Courts of Montana to make a verbatim record of proceedings in court.

A person trained to be able to make such a record to protect the rights of all people who appear in our court system.

The schooling necessary for the position as a Court Reporter is extremely difficult, the work is demanding (for there can be no errors), and the hours of work will vary, with the probability of working nights and weekends to handle all types of court work.

Whether criminal or civil, the Reporter's transcript is the only accurate method of review, of District Judge's actions and rulings, by the Montana Supreme Court or beyond.

An **accurate** record can only be made by **competent conscientious, trained and** preferably **experienced** Reporters.

Montana has, for years, been a training ground for Reporters who, after a year or so in Montana, would move to other states.

We have, within the last two years, been able to attract competent reporters. Help maintain a competent judicial review system in Montana.

BEFORE: Senate Judiciary Committee

HB No. 354

8 March, 1975
9:30 o'clock a.m.
Room 442 Capitol Bldg.
Helena, Montana

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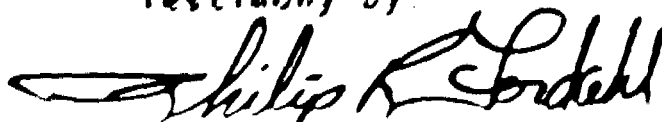
could sponsor -- this then would eliminate one bill each session which would help to alleviate this problem.

Another point I would like to mention is that we are paid by the counties which comprise the Judicial District for which the reporter is appointed. The funds DO NOT come from the state, so that any future increase in salary the judges may grant does not have to be budgeted for by the legislature.

I think that one of the most important reasons for this change is that the reporters could then meet with the District Judges of Montana and establish a self-certification program whereby the reporters will receive a salary commensurate with their ability and seniority. We feel that a reporter just out of school does not have the knowledge or experience that a reporter with several years experience has and, therefore, should not command the same salary; likewise, the reporter who has taken the pain and effort to advance his qualifications and ability should command a higher salary than one who has not. This self-certification program would take the place of once again appearing before the legislature and proposing a Certified Shorthand Reporter law; this being a Board established by the legislature and before which the Court Reporter must appear and pass a battery of examinations before he is allowed to report in the State of Montana. Self-certification can be done very simply by setting up examinations at which the NSRA Certificate of Merit and Certificate of Proficiency tests are given. The CM and CP tests are already in existence and have been proven over the years. Several other states are doing this now. California has had a CSR law for many years, and it has now been recommended that the NSRA examinations be given in its place to reduce the cost of the CSR Board and testing program. Self-certification will ensure the quality of reporters in our court system and, thereby, protect the rights of the parties involved in litigation.

Thank you.

Testimony by:

Philip R. Gredell

HB No. 354

8 March, 1975
9:30 o'clock a.m.
Room 442 Capitol Bldg.
Helena, Montana

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HOUSE BILL 354 - COURT REPORTERS
March 8, 1975 - 9:30 o'clock a.m.
ROOM 442 - Capitol Building, Helena, Montana

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The salaries of the Montana Official Court Reporters are paid by the county or counties comprising the judicial district within which the reporter is appointed. It is not an automatic thing but is presently set by the legislature. The only means the court reporters have of obtaining a salary adjustment is to approach the legislature.

I urge you to vote for a do pass recommendation on this bill. If it is passed, we (the Montana Reporters) will present to the judges a proposed guideline to use in setting the salaries. We will use as the basis of our guideline information from the statistics surrounding Montana plus the individual reporter's reporting qualifications, capabilities, time in service and experience.

I know you are very pressed for time and so I won't go any further with my reasoning but will try to answer any questions you may have. Thank you for your consideration.

Testimony submitted by:



Carroll B. Copeland
President, Montana Shorthand Reporters Assn
Fourth Judicial District, Missoula



ROBERT T. ROGERS
COURT REPORTER
FELLOWSHIP COURT REPORTERS
BILLINGS, MONTANA
58101

March 6, 1975

AREA 501 1 100
TELEPHONE 501 10 100
501 100

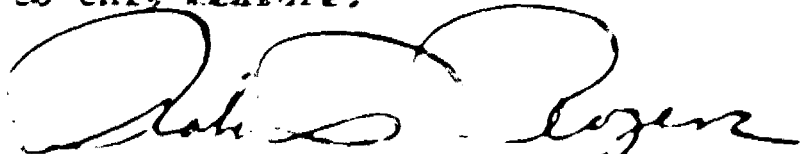
Dear Senator Towe:

We respectfully request favorable consideration by you and your committee of HB 354 to be heard by your committee on Saturday morning, March 8th.

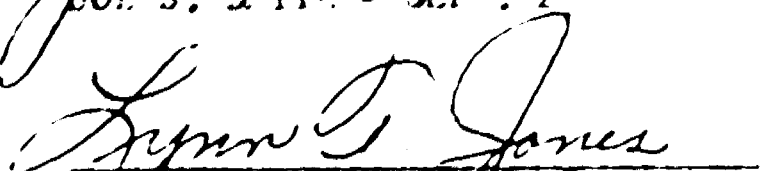
As an attorney, Tom, you are well aware of the difficulties we in Montana have had in the past of keeping pace salarywise with our contiguous sister states.

This legislation is vitally needed to attract and retain competent court reporters in the District Courts of the State of Montana.

We thank you and your committee for the fair consideration we know you will give to this measure.


ROBERT T. ROGERS - DEPT. 1


JOE S. SMITH - DEPT. 2


LYNN T. JONES - DEPT. 3

- HB 82 -- Senator Brown moved HB 82 be concurred in as amended. THE MOTION CARRIED ON A ROLL CALL VOTE WITH SENATORS DRAKE AND TURNAGE VOTING NO.
- HB 372 -- Senator Turnage moved HB 372 be concurred in. THE MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.
- HB 354 -- Senator Towe moved to amend page 1, line 17 by inserting "and not more than sixteen thousand dollars (\$16,000)" WITH SENATORS WARREN AND GREELY VOTING NO, THE MOTION CARRIED.

Senator Turnage moved to amend line 17 by striking "ju" and inserting "local governing body". THE MOTION FAILED ON A ROLL CALL VOTE WITH SENATORS TOWE, CETRONE, BROWN AND DRAKE VOTING NO AND SENATOR ROBERTS ABSENT.

Senator Cetrone moved HB 354 be concurred in as amended. THE MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

- HB 395 -- Senator Greely moved to adopt all amendments as shown in the attached Committee Report. WITH SENATOR TOWE VOTING NO, THE MOTION CARRIED ON A ROLL CALL VOTE.

Senator Greely moved HB 395 be concurred in as amended. THE MOTION CARRIED UNANIMOUSLY ON A ROLL CALL VOTE.

There being no further business, the meeting adjourned to reconvene March 19, at 9:30 A.M.



Thomas E. Towe, Chairman

3/13/75

Haller

Bill No.

354

Title

	YES	NO
THOMAS E. TOWE	✓	
JOE P. ROBERTS	✓	
V. E. CETRONE	✓	
MARGARET S. WARDEN		✓
ROBERT J. BROWN	✓	
GLEN L. DRAKE	✓	
JEAN A. TURNAGE	✓	
MICHAEL GREELY		✓

Jeff H. Hyman
Secretary

Tipper C. Lawrence
Chairman

motion by Senator Lawrence to amend page 1, line 12.

(include enough information on motion—put with yellow copy of committee report.)

3/18/75

House Bill No. 334

1st

	Y	N
THOMAS E. TOWE		X
JOE P. ROBERTS		.
W. E. CETRONE		X
MARGARET S. WARDEN	X	
ROBERT J. BROWN		X
GLEN L. DRAKE		X
JEAN A. TUPNAGE	X	
MICHAEL GREELY	X	

Full to Ryan
Secretary

House to Lane
Chairman

motion by Senator Tuppance to amend
lines 17 by striking "redge" and
inserting "local governing body"

(include enough information on motion—put with yellow copy of
committee report.)

3/18/75

Bill No. 354

T 100

	YE	NO
THOMAS E. TOWE	✓	
JOE P. ROBERTS	✓	
W. E. CETRONE	✓	
MARGARET S. WARDEN	✓	
ROBERT J. BROWN	✓	
GLEN L. DRAKE	✓	
JEAN A. TURNAGE	✓	
MICHAEL GREELY	✓	

John H. Hagan
Secretary

Wanda P. Lane
Chairman

motion: by Wanda P. Lane that it be
so be concerned in the subject.

(Include enough information on motion—put with yellow copy of committee report.)

MR. PKESLUZIT

We, your committee on JUDICIARY

having had under consideration HOUSE Bill No. 354

Respectfully report as follows: That HOUSE Bill No. 354

third reading, be amended as follows:

1. Amend page 1, section 1, line 17.

Following: "(\$12,500)"

Insert: "and not more than sixteen thousand dollars
(\$16,000)"

DOCKET AND AS SO AMENDED, BE CONCURRED IN

HOUSE BILL NO. 354

INTRODUCED BY DUSSAULT, PALMER, FINLEY, JAMES MOORE, MACONE,
JOHN ANDERSON, HARPER, JACK MOORE, LESTER, JACOBSEN,
GILLIGAN, KEMMIS, DASSINGER, KELLY, FEDERICO, LUEBECK

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
93-1906, R.C.M. 1947, TO PROVIDE A MINIMUM SALARY FOR
REPORTERS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 93-1906, R.C.M. 1947, is amended to
read as follows:

"93-1906. Salary and expenses of reporter--
apportionment. Every reporter appointed under the provisions
of this chapter ~~receives~~ is entitled to receive an annual
salary of not less than twelve thousand five hundred
dollars (\$12,500) AND NOT MORE THAN SIXTEEN THOUSAND DOLLARS
(\$16,000) SAID SALARY TO BE SET BY THE JUDGE IN THE DISTRICT
IN WHICH THE REPORTER WORKS, and no other compensation
except as provided in section 93-1904, provided, however,
that all transcripts and bills of exceptions required by the
county shall be furnished without cost, payable in monthly
installments out of the general funds of the counties
comprising the district for which he is appointed, according
and in proportion to the number of civil and criminal

actions entered and commenced in the district courts of such
counties respectively in the preceding year; and it shall be
the duty of the judge of such district, on the first day of
January of each year, or as soon thereafter as may be, to
apportion the amount of such salary to be paid by each
county in his district on the basis aforesaid. The reporter
is allowed, in addition to the salary and fees above
provided, in judicial districts comprising more than one (1)
county, his actual and necessary expenses of transportation
and living when he goes on official business to a county of
his judicial district other than the county in which he
resides, from the time he leaves his place of residence
until he returns thereto, said expenses to be apportioned
and payable in the same way as the salary."

-End-

REFERENCE BILL